Minutes

Town of Lake Park, Florida Town Commission Meeting March 3, 2004 7:30 p.m.

Town Commission Chambers, 535 Park Avenue

The Town Commission met for the purpose of a Regular Town Commission Meeting on Wednesday, March 3, 2004 at 7:30 p.m. Present were Mayor Castro, Vice-Mayor G. Chuck Balius, Commissioners Longtin, Otterson and Garretson, Town Manager Doug Drymon, Town Attorney Thomas Baird and Town Clerk Carol Simpkins.

Mayor Castro called the meeting to order at 7:30 p.m. Elder Altanese Kendrick gave the Invocation. Mayor Castro led the Pledge of Allegiance. Town Clerk Carol Simpkins performed the Roll Call.

ADDITIONS/DELETIONS

MOTION: A motion was made by Commissioner Longtin to approve the March 3, 2004 Agenda; Vice Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	x		
Commissioner Otterson	X		
Commissioner Longtin	х		
Vice-Mayor Balius	x		
Mayor Castro	X		

Motion passed 5-0.

PRESENTATIONS:

Proclamation for Bambi-McKibbon-Turner

Mayor Castro and the Town Commission presented a Proclamation to Bambi McKibbon-Turner, Executive Assistant to the Town Manager in honor of her hard work and dedication to the Town of Lake Park. Ms. Turner indicated that she enjoys working for the Town and expressed gratitude for receiving the Proclamation in her honor.

PUBLIC COMMENT:

The following person(s) addressed the Commission:

Elizabeth Wooten, 1439 Flagler Boulevard, wanted to set the record straight in relation to an article in the weekday about allegations of dead bodies and stolen cars found at the junkyard. Charles and Elizabeth Wooten were the previous owners of *Thousand of Parts* located on Silver Beach Road.

Roselyn Saunders, 211 East Ilex Drive, invited everyone to Kelsey Park on Sunday at 10:00 a.m. for a family picnic and parade.

CONSENT AGENDA

Commission Meeting Minutes of February 18, 2004

MOTION: A motion was made by Commissioner Longtin to approve the February 18, 2004 Commission Meeting Minutes. Vice Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

Request from the Town of Lake Park Recreation Department to serve alcohol at the Irish Fest.

Dale Dougherty, Director of Community Affairs informed the Commission that the event will be placed under the Towns Umbrella Events Insurance. He indicated that the event has been held annually and there have never been any problems reported in the past. He stated that the Lake Park Kiwanis Club will sponsor the event.

MOTION: A motion was made by Commissioner Longtin to approve the

Town of Lake Park Recreation Departments request to serve alcohol at the Irish Fest. Vice Mayor Balius made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson		X	
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 4-1.

Edie McConville, President of the Lake Park Kiwanis Club thanked the Commission for the opportunity to hold this event. She said that the proceeds will be used to benefit the children in the Town of Lake Park.

PUBLIC HEARING/S:

ORDINANCES ON SECOND READING/ADOPTION:

ORDINANCE NO. 03-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 17, ARTICLE III, SECTION 16-74 OF THE TOWN CODE PERTAINING TO THE ISSUANCE OF SPECIAL EVENTS PERMITS FOR NON-TOWN SPONSORED EVENTS BY THE TOWN MANAGER AND THE TOWN COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened.

No speakers.

Public Hearing closed.

MOTION: A motion was made by Commissioner Garretson to adopt

Ordinance No. 03-2004. Commissioner Otterson made the

second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

ORDINANCE NO. 07-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING CHAPTER 13, SECTION 13-36(173)(c)(3) OF THE TOWN CODE TO CLARIFY THE OCCUPATIONAL LICENSE FEES TO BE CHARGED FOR REAL ESTATE RENTALS OF COMMERCIAL PROPERTY WHICH ARE USED FOR THE OPERATION OR TRANSACTION OF A BUSINESS, OCCUPATION, OR PROFESSION FOR WHICH A SEPARATE OCCUPATIONAL LICENSEE IS REQUIRED BY CHAPTER 13 ON A PER UNIT BASIS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE.

Public Hearing opened.

Richard Ahrens, 1461 Kinetic Road suggested that the Town Commission approve the Ordinance in the revised form.

Public Hearing closed.

In a response to a question posed by Mayor Castro, Town Attorney Baird indicated that no material changes were in the Ordinance that would cause the Ordinance to have to recourse back to first reading.

MOTION: A motion was made by Vice Mayor Balius to adopt Ordinance No. 07-2004; Commissioner Otterson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		

Commissioner Otterson	X	
Commissioner Longtin	X	
Vice-Mayor Balius	X	
Mayor Castro	X	

Motion passed 5-0.

ORDINANCES ON FIRST READING

ORDINANCE NO. 08-2004

AN ORDINANCE OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE TOWN OF LAKE PARK, CHAPTER 2, ARTICLE VI, DIVISION 5, PERTAINING TO TOWN ADMINISTRATION OF EMPLOYEES AND PERSONNEL RULES AND REGULATIONS, AMENDING SECTION 2-151 ENTITLED "ADOPTION;" TO AMEND SECTION 1 PERTAINING TO THE CLASSIFICATION PLAN FOR CLASSIFIED SERVICE POSITIONS FOR TOWN EMPLOYEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF LAWS IN CONFLICT; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

MOTION: A motion was made by Commissioner Garretson to approve Ordinance No. 07-2004; Commissioner Otterson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro		X	

Motion passed 4-1.

Mayor Castro feels that education and experience should be a consideration for employment as it pertains to classified positions within the Town.

QUASI-JUDICIAL PUBLIC HEARING(S): RESOLUTIONS

Deputy Town Clerk Stephanie Thomas swore in the witnesses.

The following Commissioners had no exparte communications to be declared since the last Commission Meeting:

Commissioner Longtin Commissioner Garretson Mayor Castro

The following Commissioners had the following exparte communication to be declared since the last Commission Meeting:

Vice Mayor Balius- Mr. Ahrens requested to have his item placed on the Agenda. Commissioner Otterson- Mr. Ahrens requested to have his item places on the Agenda.

RESOLUTION 11-02-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA APPROVING A SITE PLAN FOR A MIXED-USE DEVELOPMENT OWNED BY ONE PARK AVE, LLC KNOWN AS ONE PARK PLACE LOCATED ON THE NORTHEAST CORNER OF THE INTERSECTION OF PARK AVENUE AND 9TH STREET, WITHIN THE PARK AVENUE DOWNTOWN ZONING DISTRICT (PADD); PROVIDING CONDITIONS OF APPROVAL; AND PROVIDING AN EFFECTIVE DATE.

The pleasure of the Town Commission was not to allow the One Park Place Presentation to be presented. The Commission feels that sufficient time was not allotted to staff to review the information and provide a recommendation. Mayor Castro made a suggestion to the staff to set internal as well as external deadlines for submittal of information for adequate review time.

Town Attorney Baird indicated that the Town will have to follow Ordinance by procedure pertinent to the circumstances.

Public Hearing opened.

Diane Munroe, Hawthorne Drive asked why the item was on the Agenda if no action was going to be taken by the Town Commission.

Joe Glisson, Greenbriar Drive that requested that the Town Commission does not allow the One Park Place Project to be presented at the March 3, 2004 meeting. **Public Hearing closed.**

MOTION:

A motion was made by Commissioner Longtin to continue Resolution 11-02-04 until the March 17, 2004 Regular Commission Meeting. Vice Mayor made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

RESOLUTIONS

RESOLUTION NO. 14-03-04

A RESOLUTION OF THE TOWN COMMISSION OF THE TOWN OF LAKE PARK, FLORIDA AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE A FRANCHISE AGREEMENT FOR CONSTRUCTION ROLL OFF FRANCHISE AGREEMENT BETWEEN THE TOWN OF LAKE PARK WASTE MANAGEMENT; AND PROVIDING AN EFFECTIVE DATE.

MOTION:

A motion was made by Vice Mayor Balius to approve Resolution No. 14-03-04. Commissioner Otterson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		

Mayor Castro		
	X	

Motion passed 5-0.

DISCUSSION AND POSSIBLE ACTION:

Participation by the Town of Lake Park in the 2004 North Palm Beach Heritage Festival

Vice Mayor Balius suggested having the Veterans of Foreign War (VFW) use the Town float in the Heritage Fest Parade on April 17, 2004 and an event in Palm Beach Shores on March 13, 2004.

MOTION: A motion was made by Commission Otterson to approve the use of the Town float on March 13, and April 17, 2004. Commissioner Otterson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

Request to participate in the "Million in a Month" food drive sponsored by the Junior League of the Palm Beaches

There was consensus among the Town Commission for the Fire Department, Emergency Operation Center to be the designated collection point.

Direction from the Commission on Commercial Occupational License

There was consensus among the Town Commission to refund all funds except for the fifty dollar occupational license for the business.

American Cancer Society Relay for Life

Michelle Duvelsdorf, American Cancer Society and Leigh Kendall requested to have an overnight event that mobilizes communities to celebrate survivorship and to remember those who lost their lives to cancer. Michelle Duvelsdorf indicated that that Town will be listed under the American Cancer Society's insurance. There will also be a Law Enforcement officer present during the event.

MOTION: A motion was made by Commission Otterson to approve the use of Kelsey Park for the American Cancer Society Relay for Life event. Commissioner Garretson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

Development Regions Grant Applications

Bambi McKibbon-Turner, Executive Assistant to the Town Manager informed the Commission that four applications were submitted to the Town for consideration for the Development Regions Grant. She indicated that the deadline to submit the application to Palm Beach County is March 26, 2004. In response to an inquiry made by Mayor Castro, Ms. Turner indicated that the agreement between the Town of Lake Park, Palm Beach County and Baron Signs was never executed. The Mayor asked that Bambi McKibbon-Turner contact Palm Beach County to determine if there is a deadline by which the \$25,000.00 Town match for the Baron Signs project has to be used and the maximum period of time for which the Baron Signs contract can be extended. She stated that Palm Beach County would have to be notified that the funds will be used for a different project and the Town would have to request an extension from the County.

Dockside Sea Grille, Paaris Gourmet and PDR Chiral were all present to address the Commission. Oakes Pee-Wee Academy was disqualified and will not be considered for the Grant. The pleasure of the Commission was to allow the applicants to complete their

applications and resubmit them by noon on March 15, 2004. Mayor Castro requested that eight copies of the completed missing documentation be presented at the time of the submittal. PDR Chiral will be considered for Community Redevelopment Agency (CRA) funds in that the company is located in the CRA district. All of the applications will be considered on an individual basis.

MOTION:

A motion was made by Vice Mayor Balius to continue the review of the grant applications and have the complete applications from Dockside Sea Grille, Paaris Gourmet and PDR Chiral distributed to the Commission before the Commission Meeting on March 17, 2004. Commissioner Otterson made the second.

Vote on Motion:

Commission Member	Yes	No	Other
Commissioner Garretson	X		
Commissioner Otterson	X		
Commissioner Longtin	X		
Vice-Mayor Balius	X		
Mayor Castro	X		

Motion passed 5-0.

COMMENTS BY COMMISSION, TOWN MANAGER AND TOWN ATTORNEY

Mayor Castro

Mayor Castro inquired about the Street Lighting project. He indicated that he would like to budget for the landscaping in Town parks.

Vice Mayor Balius

Vice Mayor Balius suggested that the Evaluation and Appraisal Report results be compiled into a list for each concern so that a workshop can be scheduled with Calvin, Giordano & Associates to begin working towards resolving some of the issues. Vice Mayor Balius also mentioned the article that was written by a resident in which falsehoods were stated. He stated that there is a curfew for children 16 and under and it should be enforced. Vice Mayor publicly noted that he will attend the Public Works function on March 18, 2004.

Commissioner Longtin

Commissioner Longtin reminded everyone that there will be a Crime Watch meeting at the Fire Station on Saturday, March 6, 2004 at 11:00 a.m. She provided the number to

obtain free smoke alarms, 734-4023. She advised anyone who desires to serve on a Town board to contact the Town Clerk at 561-881-3311. She concluded by saying that the library needs volunteers. She thanked the citizens for attending and viewing the Commission Meeting. She requested that a proclamation not be presented to her, she indicated that the work she does is her civic duty only.

Commissioner Otterson

Commissioner Otterson expressed that he was very happy to see Executive Assistant to the Town Manager, Bambi McKibbon-Turner receive a proclamation.

Commissioner Garretson

No Comments.

Town Manager Drymon

Town Manager Drymon informed the Commission that he will be in Tallahassee for the historical Grants meeting on March 22nd and 23rd 2004. Town Manager Drymon concluded by asking the public to donate trees in honor of family members and loved ones for Arbor Day.

Town Attorney Baird

Town Attorney Baird provided a status report on litigations from the Rodriguez case. He stated that the plaintiff did not provide sufficient evidence to the federal court, therefore the judge ruled in favor of the Town of Lake Park. Town Attorney Baird indicated that the companion case that was filed with the state is likely to have the same results.

ADJOURNMENT:

There being no further business to come before the Commission, after a motion to adjourn by Vice Mayor Balius, seconded by Commissioner Otterson, and by unanimous vote, the meeting adjourned at 10:08 p.m.

Mayor Paul Castro

Deputy Town Clerk, Stephanie Thomas

Approved on this 17th day of March 2004.



Town of Lake Park Public Comment Card

Meeting Date: 3-3-

CARDS MUST BE SUBMITTED BEFORE THE ITEM IS DISCUSSED!

3 MINUTE TIME LIMITATION ON ALL COMMENTS*

Name: 2/12A Deth WOOTEN LA

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I would like to make comments on the following NON-AGENDA ITEM(S).

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Public Comment Card

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Public Comment Card Town of Lake Park

Meeting Date: 3/8/64

CARDS MUST BE SUBMITTED BEFORE THE ITEM IS DISCUSSED

3 MINUTE TIME LIMITATION ON ALL COMMENTS* - AMOGRAS KINCHO RI アにおうし Address: Name:

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I would like to make comments on the following NON-AGENDA ITEM(S):



Public Comment Card Town of Lake Park

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I would like to make comments on the following NON-AGENDA ITEM(S):



Town of Lake Park Public Comment Card

Meeting Date: \$ 3/03 /64

CARDS MUST BE SUBMITTED BEFORE THE ITEM IS DISCUSSED!

3 MINUTE TIME LIMITATION ON ALL COMMENTS

Name: Tor GLISSON Address: 850 GREENBRIAR

I would like to make comments on the following AGENDA ITEM(S):

I would like to make comments on the following NON-AGENDA ITEM(S):

Exhibit A"



February 25, 2004

Mr. J. Douglas Drymon Town Manager Town of Lake Park 535 Park Avenue Lake Park, FL 33403

RE:

One Park Place

Town Council Meeting, Wednesday March 3, 2004

Resubmittal for Town Council Approval

Dear Mr. Drymon:

In accordance with review comments and dialogue of the last two Town Council Meetings, we are submitting our project for the March 3rd, 2004 Town Council Meeting.

Our firm and associates have made extensive efforts to substantially revise One Park Place to meet the concerns of Council members and the public.

We have reduced the total number of residential units by a quantity of 12, which brings the total to 54 units in lieu of the original 66. A major change in structural system coupled with the residential unit reduction has produced a structure with a maximum floor to floor height (to the 4th floor) of 45 feet, which conforms to the Town PADD height restrictions.

Further, the project's scale and height has been greatly scaled down by removing sections of the 4th floor so that the building has sections which do not exceed three (3) floors in height. The architectural appearance and detail remains similar to our original proposal providing the town with a pleasing Mediterranean style.

An agreement has also been reached with Seacoast Utilities Authority wherein Ahrens will install a new ten (10) inch water line originating from 10th Street, and 8 to 6 inch feeders to develop fire hydrant locations and water service to One Park Place. Copies of letters outlining these agreements are made a part of our submittal for Town Council Meeting March 3, 2004. Park Avenue LLC proposes to construct and finance construction, but would request that the Town of Lake Park taxes be waived until the cost plus 6% interest has been repaid, or Park Avenue LLC be repaid fifty percent (50%) of the cost of the work.

Ahrens Companies has worked diligently to obtain approvals of the Utility companies, Palm Beach County and other entities, regarding the adequacies and support for One Park Place.

We believe you and the Town Council members will agree that our revised development will be a welcome addition to the Town of Lake Park.

We look forward to your continued support for One Park Place.

Respectfully,

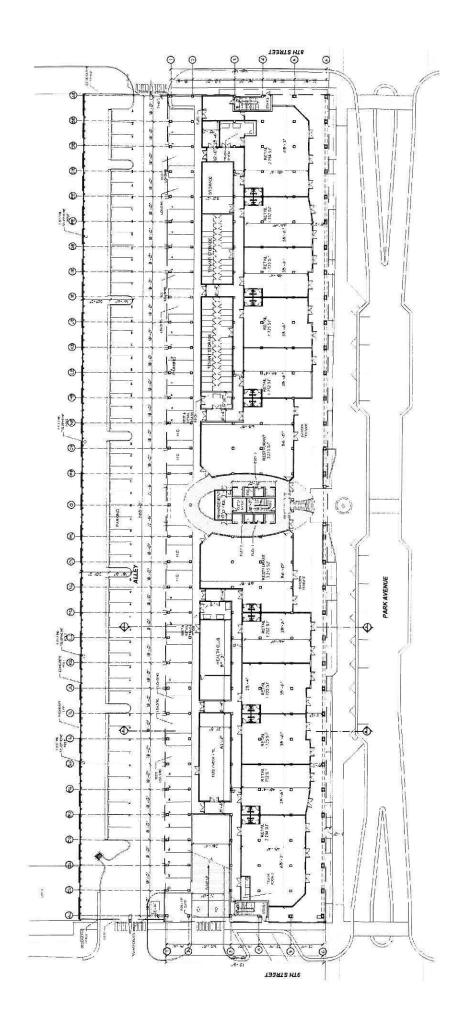
Don Boitnott, Architect

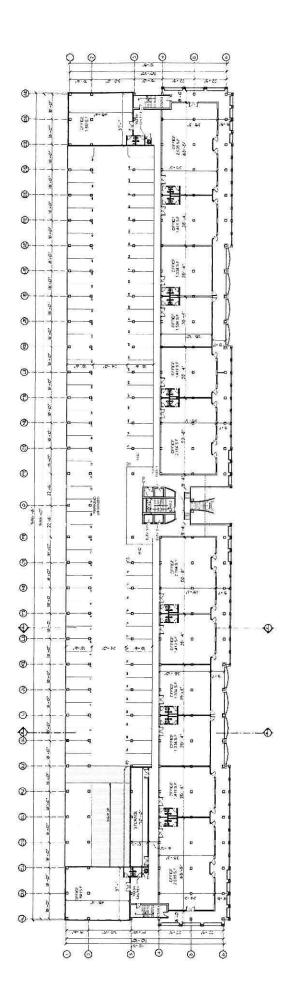
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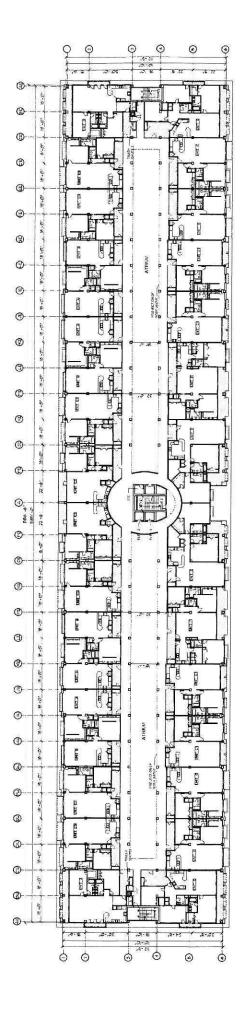
Cc: Calvin, Giordano & Associates, Inc.

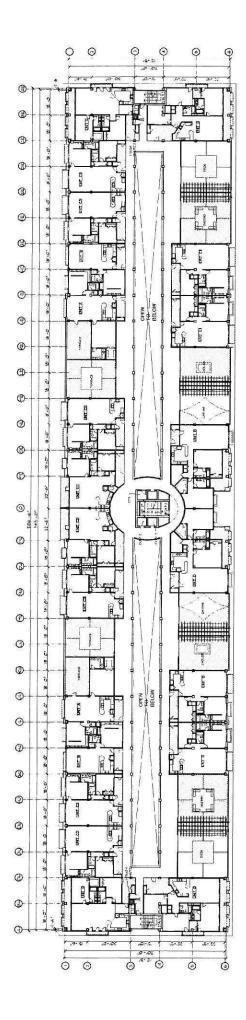
Herbert C. Gibson, Gibson & Loggins Lawrence Levis, BEA International

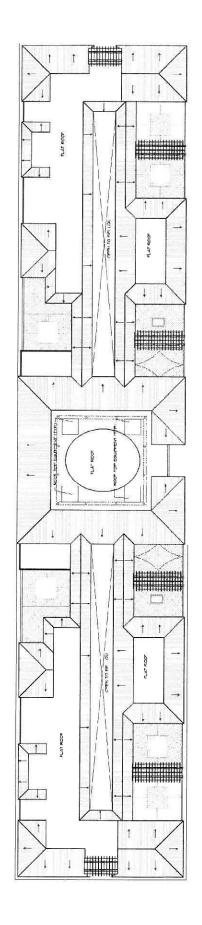
Jeff Blakely, L.A.

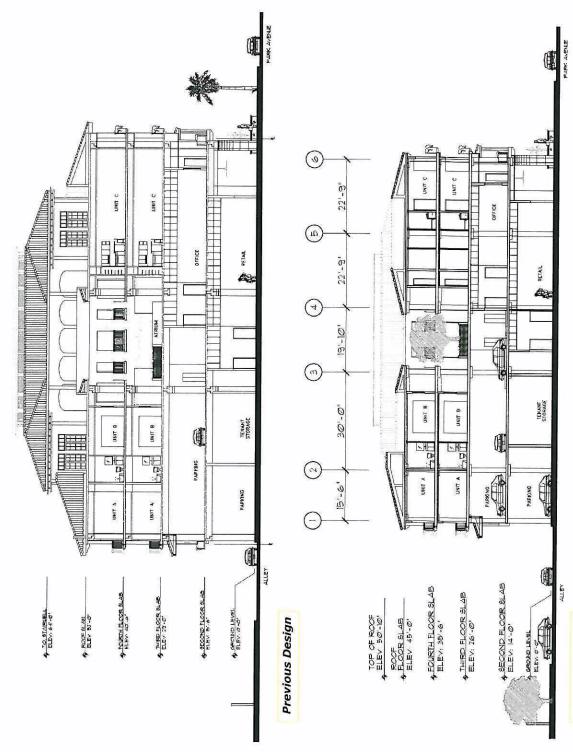




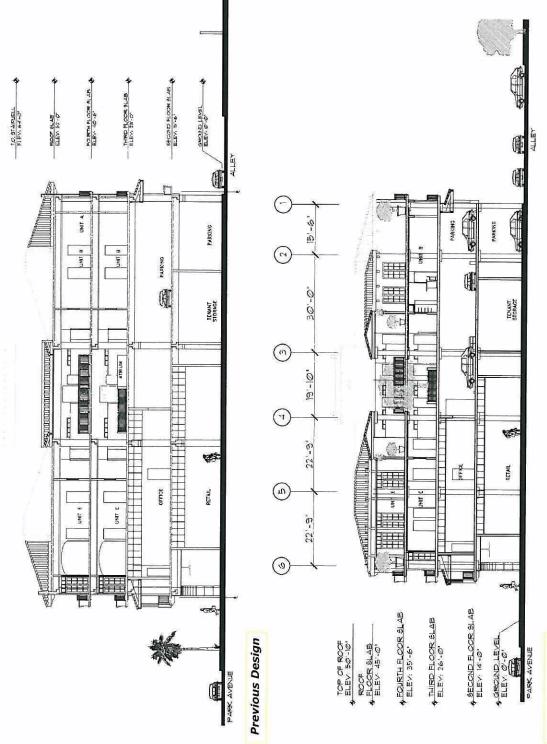




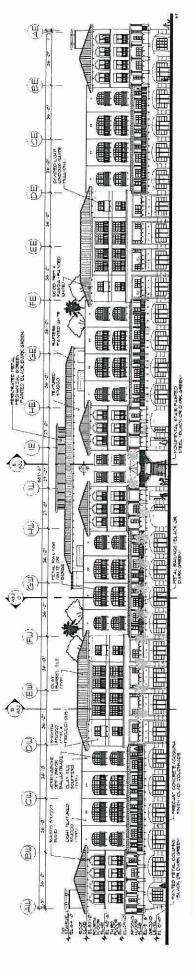




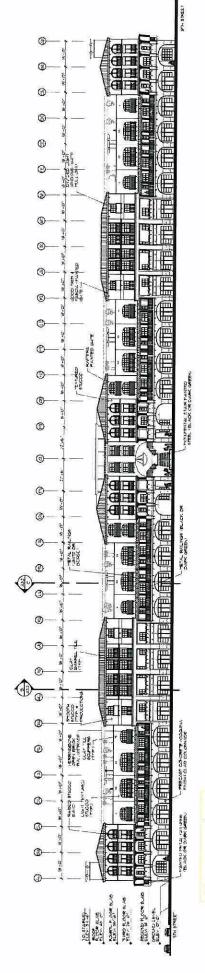
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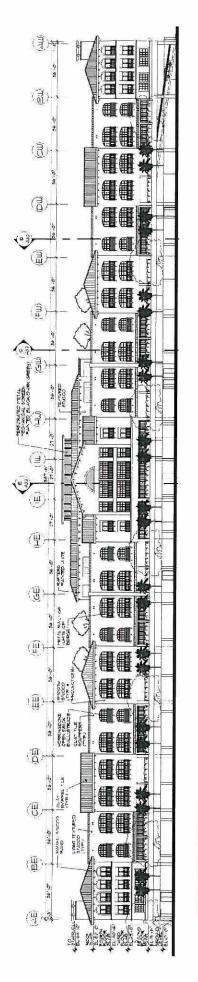
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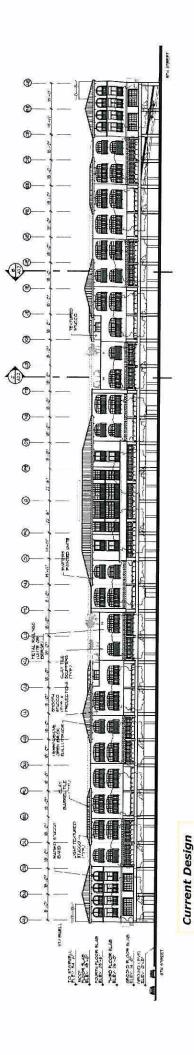
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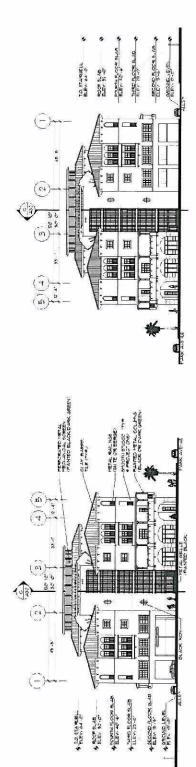


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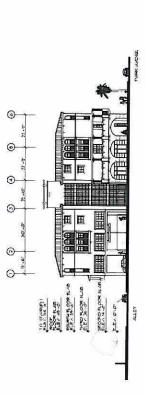


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